



Legislation Text

File #: 08-0380, Version: 1

Resolution Authorizing Quit Claim Deed of City-owned Property to The University of Michigan (located adjacent to Observatory and Washington Heights) **(8 Votes Required)**

There is a resolution before you to authorize the City to convey three small strips of City-owned property totaling less than 0.1 acre by quit claim deed to the University of Michigan, a Michigan Constitutional corporation.

As part of the University of Michigan's renovation of the Observatory Lodge building located at the southeast corner of Observatory and Washington Heights, a title search disclosed that the City owns three narrow strips of land. An internal search of the City's archives did locate the original recorded deeds and a council resolution accepting the deeds, but no additional information was found to provide an explanation as to the purpose for the City's ownership. Two strips are less than four (4) feet wide in one direction and the other two strips are four (4) and 16 feet wide, respectively in the opposite direction. The University claims that they have used and maintained these strips for more than forty years and had no idea that the land was not University property.

In accordance with Section 1:320(4) of the Ann Arbor City Code, the City Administrator recommends no appraisal be obtained in this matter. Pursuant to the City's request, the University has provided the City with a title commitment issued by American Title Company of Washtenaw, which lists the City as the fee simple owner of three separate strips of land totaling less than 0.1 acre.

The Systems Planning Unit has reviewed the University's request and has determined that the City is not using and does not need the property for any public purpose; and, has no objections to the conveyance.

The quit claim deed is in standard form and conveyed without cost to the City.

Authorization to execute a quit claim deed to be recorded at the Washtenaw County Register of Deed's Office thereby transferring title is recommended.

Prepared by: Marylou Zimmerman, Legal Assistant

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Roger M. Fraser, City Administrator

Whereas, The City of Ann Arbor, a Michigan municipal corporation, is the owner in fee simple of property in the City of Ann Arbor, Washtenaw County, Michigan, as described in the Washtenaw County Records at Liber 283, Page 260, recorded on February 25, 1929, Liber 283, Page 261, recorded on February 25, 1929 and Liber 618, Page 621, recorded on February 28, 1953, being more particularly described as follows:

A strip of land having an equal width of four feet (4) and taken off the west side of Lot Four (4) of Washington Heights Subdivision in the City of Ann Arbor, Washtenaw County, Michigan extending from the South side of Washington Heights to a point 116.6 feet from the South side of said Washington Heights (Liber 283, Page 260) and

The East four (4) feet of Lot Three (3) to a depth of 115.68 feet South of Washington Heights along the East side of said lot; thence at a right angle and perpendicular to said line a distance of 119.94 feet to the East side of Observatory Street; thence at right angles along Observatory Street; thence East and perpendicular with Observatory Street to a point 115.94 feet from the East side of Observatory Street; thence at right angles North 99.56 feet to the South side of Washington Heights; thence four (4) feet to the East side of Lot 3 of Washington Heights Subdivision in the City of Ann Arbor, Washtenaw County, Michigan (Liber 283, Page 261) and

The South four (4) feet of Lots 1, 2, and 3 of Washington Heights Addition to the City of Ann Arbor, County of Washtenaw, State of Michigan (Liber 618, Page 621).

Whereas, The University of Michigan, a Michigan Constitutional corporation, has requested that the City convey said property as described above to the University for its Observatory Lodge project;

Whereas, The Systems Planning Unit of the Public Services Area has reviewed the City's utility records and has determined that it is not using and does not need this property for any public purpose; and

Whereas, The City Administrator has recommended no appraisal be required, in accordance with Section 1:320(4) of the Ann Arbor City Code, for the disposal of the real property based on the size and location of said property;

RESOLVED, That City Council accepts the City Administrator's recommendation that no appraisal be performed prior to the disposal of the real property for the reasons stated above; and

RESOLVED, That the City hereby approves the conveyance of the above described City-owned property to the University of Michigan by quit claim deed and that an appropriate instrument approved by the City Attorney be recorded at the Washtenaw County Register of Deed's Office as soon as practicable following approval of this resolution.